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**UNITED STATES DISTRICT COURT****EASTERN DISTRICT OF TEXAS**

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UNITED STATES OF AMERICA

*versus*

VINCENT LAMAR SMITH

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CASE NO. 1:04-CR-77

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

The court referred a petition alleging violations of supervised release conditions to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.


At the close of the revocation hearing, the Defendant, defense counsel and counsel for the Government, each signed a standard form waiving their right to object to the proposed findings and recommendations contained in the magistrate judge's report, consenting to revocation of supervised release and imposition of the following sentence: nine (9) months' imprisonment with twenty-two (22) months of supervised release to follow (which includes 180 days in a halfway house to be imposed upon release). The Defendant is also ordered to complete his anger management/mental health treatment previously ordered. The Defendant also waived his right to be present with counsel and to speak at sentencing.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

**ORDERED** and **ADJUDGED** that the petition is **GRANTED** and the Defendant's

supervised release is **REVOKED**. Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

SIGNED at Sherman, Texas, this 15th day of April, 2015.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE